



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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**AUG 27 2013**

Ref: 8EPR-N

Mr. Jack H. Lewis, District Ranger  
Yampa Ranger District  
Routt National Forest  
P.O. Box 7  
Yampa, CO 80483

RE: Gore Creek Restoration Project Draft Environmental  
Impact Statement, CEQ #20130208

Dear Mr. Lewis:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4321, *et seq.*, and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609, the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the July 2013 Draft Environmental Impact Statement (EIS) for the Gore Creek Restoration Project. This Draft EIS was prepared by the Yampa Ranger District of the U.S. Department of Agriculture Forest Service (USFS) Routt National Forest to analyze potential environmental impacts associated with proposed rehabilitation projects, the decommissioning of roads, and the addition of temporary roads to facilitate completion of timber sales previously analyzed.

**Background**

The Gore Creek Restoration Project is located in northwestern Colorado between the towns of Yampa and Kremmling in Routt and Grand Counties. The analysis area encompasses 45,673 acres, including 44,145 acres of USFS lands and 1,528 acres of non-USFS lands.

During implementation of timber sales analyzed under the Medicine Bow-Routt National Forest's 2006 Rock Creek EIS, it was discovered that approximately 550 acres of harvest had been completed outside of the Rock Creek analysis area. Timber sale activity was suspended and resource concerns and restoration needs were identified. The Gore Creek Restoration Project is intended to minimize the environmental impacts which occurred outside of previously analyzed project boundaries and to reduce current impacts associated with roads in the analysis area with the intention of improving the overall watershed condition. In addition, the project would complete salvage operations in some of the areas where activity was suspended.

The alternatives analyzed in the Draft EIS are briefly summarized, as follows:

- Alternative 1 (No Action) – Current management plans would continue and no restoration would occur. Approximately 240 acres of timber sales that were previously analyzed but have not already been harvested would be sold in small sales using the current road system (no temporary road building would occur);
- Alternative 2 (Proposed Action) – Resource concerns would be addressed by obliterating temporary roads; rehabilitating landings, burn piles, and skid trails; and providing erosion control in areas that were harvested on steep slopes. Watershed improvement projects, including removal of culverts, stream restoration at perennial stream crossings, and rehabilitation of two dispersed campsites that are depositing sediment directly into Gore Creek, would be completed on approximately 8 miles. Approximately 240 acres of timber sales that were previously analyzed but have not already been harvested would be sold in small sales using the current road system (no temporary road building would occur);
- Alternative 3 – Rehabilitation treatments and watershed improvement projects would be the same as described under Alternative 2. Approximately 600 acres of timber sales that were previously analyzed but have not already been harvested would be sold and up to 5 miles of new temporary road construction could occur.

A Preferred Alternative has not been identified in the Draft EIS. Given the existing conditions of aquatic resources in the analysis area, the EPA is particularly interested in the USFS's approach to ensuring protection of these valuable resources.

### **Aquatic Resources**

The EPA considers protection of aquatic resources to be among the most important issues to be addressed in any NEPA analysis that includes new road construction given the potential to adversely impact aquatic resources, including surface and ground waters, wetlands, streams, riparian areas, and their supporting hydrology. The Draft EIS provides good disclosure of existing aquatic conditions in the project area, including existing stream health ratings that indicate declining trends in most watersheds since the 2006 Rock Creek EIS and numerous existing adverse impacts due to past timber harvest, existing road density, and existing percentage of roads within 300 feet of streams. The Draft EIS also notes that soil quality has been severely impacted in the planning area with erosion potential ratings for past and proposed harvest activities considered severe on slopes 20% and greater.

Existing Conditions: Based on conversations between our staffs, we understand that maps such as wetland and riparian areas in the analysis area will be included in the project file. In order to better understand existing aquatic resource conditions, particularly for those resources near proposed project activity areas, we recommend including these maps in the Final EIS. In addition, p. 55 of the Draft EIS briefly mentions the lower portion of Rock Creek as an eligible Wild River in the National Wild and Scenic River (WSR) System and the expectation that Alternative 2 would not affect that eligibility. In support of this conclusion, we recommend providing a brief summary of the WSR program eligibility criteria and a map depicting the eligible segment with the proposed activities under both Alternatives 2



and 3. We also recommend that the Final EIS include a determination on whether the road construction proposed under Alternative 3 would adversely impact the WSR eligibility of this segment of Rock Creek.

Design Criteria and Monitoring Plan: Alternative 3 includes up to 5 miles of new temporary road construction. According to the Draft EIS, this road construction would offset the improvements to watersheds gained through the proposed restoration activities. While we support the proposed design criteria for Alternative 3, we recommend expanding the prohibition area for construction of 1.5 miles of temporary road to include the Iron Springs/Rock Creek and Teepee Creek subwatersheds given that existing road densities in these areas exceed threshold values indicative of potential adverse effects on watershed function and hillslope hydrology. If this revision is not feasible, then we recommend the Final EIS explain why these areas were not included in the prohibition on new temporary road construction.

We support the project design criteria to protect aquatic resources, including special requirements for streams, lakes, wetlands, riparian areas, ground water-dependent ecosystems (e.g., fens and springs) and soils. To ensure that project activities do not adversely impact aquatic resources, we recommend expanding the list for both action alternatives to include the following:

- Monitor effectiveness of road closures and adjust closure methods, if necessary.
- Monitor revegetation efforts for 5 years to ensure success.

We recommend including the following additional design criteria in Alternative 3:

- Avoid road construction on slopes greater than 20%.
- Avoid road construction in areas with sensitive soils.

## **Other Issues**

Clarification of Potential Air Quality Impacts: The Proposed Action discussion notes that there are over 1,500 burn piles within the analysis area. Based on discussions between our staffs, we understand that the burning of these piles was analyzed under the 2006 Rock Creek EIS and that only the rehabilitation of these piles is addressed under the Gore Creek Restoration Project Draft EIS. We recommend clarifying this intent in the Final EIS since the Alternatives discussion indicates that the Proposed Action includes “burning or removing and rehabilitating piles.”

If the Proposed Action will include the burning of piles that have not been previously analyzed, then we recommend the Final EIS include disclosure of potential short-term air quality impacts associated with the burning of these piles. For a good example discussion of air quality impacts associated with burn piles, please refer to the Black Hills National Forest’s Calumet Project Final EIS, Fire and Fuels Section, p. 159. This document provides an estimate of PM<sub>2.5</sub> emissions for an average size burn pile. We understand from discussions with other Forests that pile burning can be covered by a forest-wide programmatic Burn Plan. It would be helpful if the Final EIS included a discussion of the Burn Plan process, the potential for Routt National Forest to develop such a plan for pile burns, and clarification on whether pile burns would be subject to the same process utilized for prescribed fire treatments as described in the Interagency Prescribed Fire Planning and Implementation Procedures Guide (July 2008).

Documentation of U.S. Fish and Wildlife Service Consultation: The bonytail chub, Colorado



pikeminnow, humpback chub, and razorback sucker are Endangered Species Act (ESA)-listed endangered fish that exist downstream of the Gore Creek Restoration Project analysis area and are currently being recovered under the Upper Colorado River Endangered Fish Recovery Program through a partnership of State, Federal and non-governmental organizations. The USFS has determined there would be “no effect” to these fish populations or habitat due to no water depletions associated with the project. In addition, the Canada lynx, an ESA-listed threatened species, occupies the analysis area. The USFS determinations for this species are as follows: Alternative 2 - “no effect” and Alternative 3 - “may affect but not likely to adversely affect.” We recognize that the USFS is in the process of consulting with the U.S Fish and Wildlife Service (USFWS) regarding potential project impacts on protected species and the USFS’s related determinations. The results of this consultation and the USFWS’s recommendations will be valuable additions to the Final EIS.

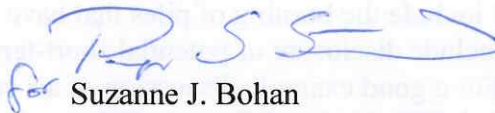
### **The EPA’s Rating**

Consistent with Section 309 of the CAA, it is EPA’s responsibility to provide an independent review and evaluation of the potential environmental impacts of this project. Because a Preferred Alternative was not identified in the Draft EIS, we are rating the Draft EIS based on Alternatives 2 and 3 (we do not rate the No Action alternative).

Based on the procedures the EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action, the EPA is rating Alternative 2 of this Draft EIS as Lack of Objections (LO). The “LO” rating indicates that the EPA has not identified any potential environmental impacts requiring substantive changes to the proposal. The EPA is rating Alternative 3 of this Draft EIS as Environmental Concerns – Insufficient Information (EC-2). The “EC” rating indicates that the EPA review has identified environmental impacts that need to be avoided in order to fully protect the environment. The “2” rating indicates that the EPA has identified additional information, data, analyses, or discussion that we recommend for inclusion in the Final EIS. A full description of the EPA’s rating system is enclosed.

We appreciate the opportunity to review this Draft EIS. If we may provide further explanation of our comments, please contact me at 303-312-6925, or your staff may contact Amy Platt at 303-312-6449.

Sincerely,



Suzanne J. Bohan  
Director, NEPA Compliance and Review Program  
Office of Ecosystems Protection and Remediation

Enclosure

## **U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements**

### **Definitions and Follow-Up Action\***

#### **Environmental Impact of the Action**

**LO - - Lack of Objections:** The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC - - Environmental Concerns:** The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO - - Environmental Objections:** The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU - - Environmentally Unsatisfactory:** The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

#### **Adequacy of the Impact Statement**

**Category 1 - - Adequate:** EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 - - Insufficient Information:** The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new, reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 - - Inadequate:** EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

